

RECORDING REQUESTED BY

Fidelity Title
City of Oceanside

DOC # 2009-0528765



AND WHEN RECORDED MAIL TO

City Clerk
City of Oceanside
300 North Coast Highway
Oceanside, CA 92054

FS
80

SEP 23, 2009 8:00 AM

OFFICIAL RECORDS
SAN DIEGO COUNTY RECORDER'S OFFICE
DAVID L. BUTLER, COUNTY RECORDER
FEES: 30.00

PAGES: 8



APN: 149-271-10 & 148-271-11

City Clerk Doc#:

CERTIFICATE OF COMPLIANCE

For

VOLUNTARY LOT MERGER

2472

LOT MERGER AND LOT LINE ADJUSTMENT NUMBER PLA-9-08

We the undersigned owners of record of real property of contiguous parcels located in the City of Oceanside, County of San Diego, State of California, hereby request, to adjust existing property lines to merge in to a single lot or unit, and request a Certificate of Compliance for the following described merged parcel.

Existing Parcels' APN:

Parcel 1, APN# 149-271-10

Parcel 2, APN# 149-271-11

Owner(s):

Edward S. Attix *9-1-09*
Owner Signature Date

EDWARD S. ATTIX, OWNER
Print Name & Title

Valerie A. Caskey *9/1/09*
Owner Signature Date

VALERIE A. CASKEY, OWNER
Print Name & Title

**LEGAL DESCRIPTION OF
NEW PARCEL(S)**

Continued on next page.

ALL PURPOSE NOTARY ACKNOWLEDGMENT REQUIRED FOR OWNER'S SIGNATURE

California all purpose
Certificate of Acknowledgment

2473

State of California

County of San Diego } ss

On 9-1-09, Amal Issa Albanna Notary Public before me, personally
Date (Here insert name and title of the officer)

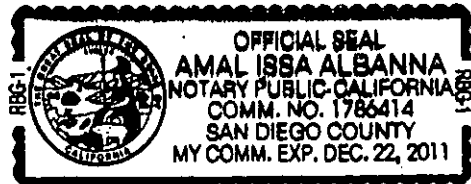
appeared Valerie A Caskey / Edwards Attix, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that ~~he/she/they~~ executed the same in ~~his/her/their~~ authorized capacity(ies), and that by ~~his/her/their~~ signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature [Signature]
Signature of Notary Public

(Notary Seal)



OPTIONAL SECTION
DESCRIPTION OF ATTACHED DOCUMENT

Title or Type of Document Certificate of Compliance

Document Date 9-1-09 Number of Pages _____

CAPACITY(IES) CLAIMED BY SIGNER

Name of Signer _____

Title(s) _____

Signer is Representing: _____

CERTIFICATE OF COMPLIANCE
CONTINUATION

2474

New Legal Description

(See legal description of new lots described on Exhibit "A" and shown on a plat entitled Exhibit "B", both of which are attached and by this reference made a part hereof.)

DETERMINATION OF COMPLIANCE

I hereby certify that the above described LOT MERGER complies with the applicable provisions of the Subdivision Map Act and the City of Oceanside Subdivision Ordinance or it has been exempt from said Act and Ordinance at the time of its creation.

This certificate relates only to issues of compliance or noncompliance with the Subdivision Map Act and City of Oceanside ordinances enacted pursuant thereto. The parcel(s) described herein may be sold, leased, or financed without further compliance with the Subdivision Map Act or any local ordinance enacted pursuant thereto. Development of the parcel may require issuance of a permit or permits, or other grant or grants of approval.

Upon recording of a copy of this Lot Merger in the Office of the County Recorder of the San Diego County, State of California, the parcel(s) or tract(s) described herein shall be deemed to be consolidated as described in Exhibit "A" and shown on Exhibit "B", and that further actions to sell, lease or finance portions of said parcels will be subject to the City of Oceanside Subdivision Ordinance regulation.

NOTE:

This determination **DOES NOT GUARANTEE** that the subject property meets current design and improvement standards for subdivided parcel. Prospective purchaser should check site conditions and applicable development codes to determine whether the property is suitable for their intended use.



CITY OF OCEANSIDE
Engineering Division
City of Oceanside
300 North Coast Highway
Oceanside, CA 92054

By: *Scott P. Smith*
Title: CITY ENGINEER
Date: 9.15.2009

EXHIBIT "A"

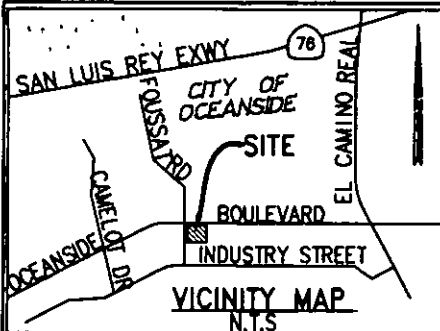
LEGAL DESCRIPTION

2475

PARCEL 1: ALL THAT PORTION OF THE SOUTHWEST QUARTER OF SECTION 19, TOWNSHIP 11 SOUTH, RANGE 4 WEST, SAN BERNARDINO BASE MERIDIAN, IN THE CITY OF OCEANSIDE, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO UNITED STATES GOVERNMENT SURVEY, APPROVED DECEMBER 27, 1870, DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT IN THE EASTERLY LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 19, DISTANT THEREON NORTH $00^{\circ}14'15''$ EAST 1341.16 FEET FROM THE SOUTHEAST CORNER OF SAID SOUTHWEST QUARTER, BEING A POINT IN THE SOUTHERLY RIGHT OF WAY LINE OF CANYON DRIVE (CURRENTLY OCEANSIDE BOULEVARD) AS SHOWN ON CITADELS ESTATES UNIT NO. 1, ACCORDING TO MAP THEREOF NO. 4049, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAID SAN DIEGO COUNTY, SAID POINT ALSO BEING THE NORTHEAST CORNER OF THE LAND DESCRIBED IN DEED TO AVCO DEVELOPMENT COMPANY, INC., RECORDED JANUARY 16, 1963 AS DOCUMENT NO. 9721 OF OFFICIAL RECORDS; THENCE ALONG NORTHERLY LINE OF SAID LAND BEING ALONG THE SOUTHERLY LINE OF SAID CANYON DRIVE (CURRENTLY OCEANSIDE BOULEVARD), SOUTH $89^{\circ}32'45''$ WEST (RECORD SOUTH $89^{\circ}39'00''$ WEST) 205.11 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING SOUTH $89^{\circ}32'45''$ WEST 105.25 FEET TO THE BEGINNING OF A TANGENT 20 FOOT RADIUS CURVE CONCAVE SOUTHEASTERLY THENCE SOUTHWESTERLY AND SOUTHERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF $89^{\circ}18'00''$ A DISTANCE OF 31.17 FEET; THENCE TANGENT TO SAID CURVE SOUTH $00^{\circ}14'45''$ WEST 103.72 FEET; THENCE SOUTH $89^{\circ}45'15''$ EAST, 125.00 FEET; THENCE NORTH $00^{\circ}14'45''$ WEST 125.00 FEET TO THE TRUE POINT OF BEGINNING.

CONTAINING AN AREA OF 15,446 SQUARE FEET OR 0.3546 ACRES MORE OR LESS.



CITY OF OCEANSIDE
ENGINEERING DIVISION
PLAT FOR PLA-9-08
EXHIBIT "B"

SHEET 1 OF 3

2476

CURVE TABLE			
CURVE	LENGTH	RADIUS	Δ
C1	31.17	20.00	89°18'00"

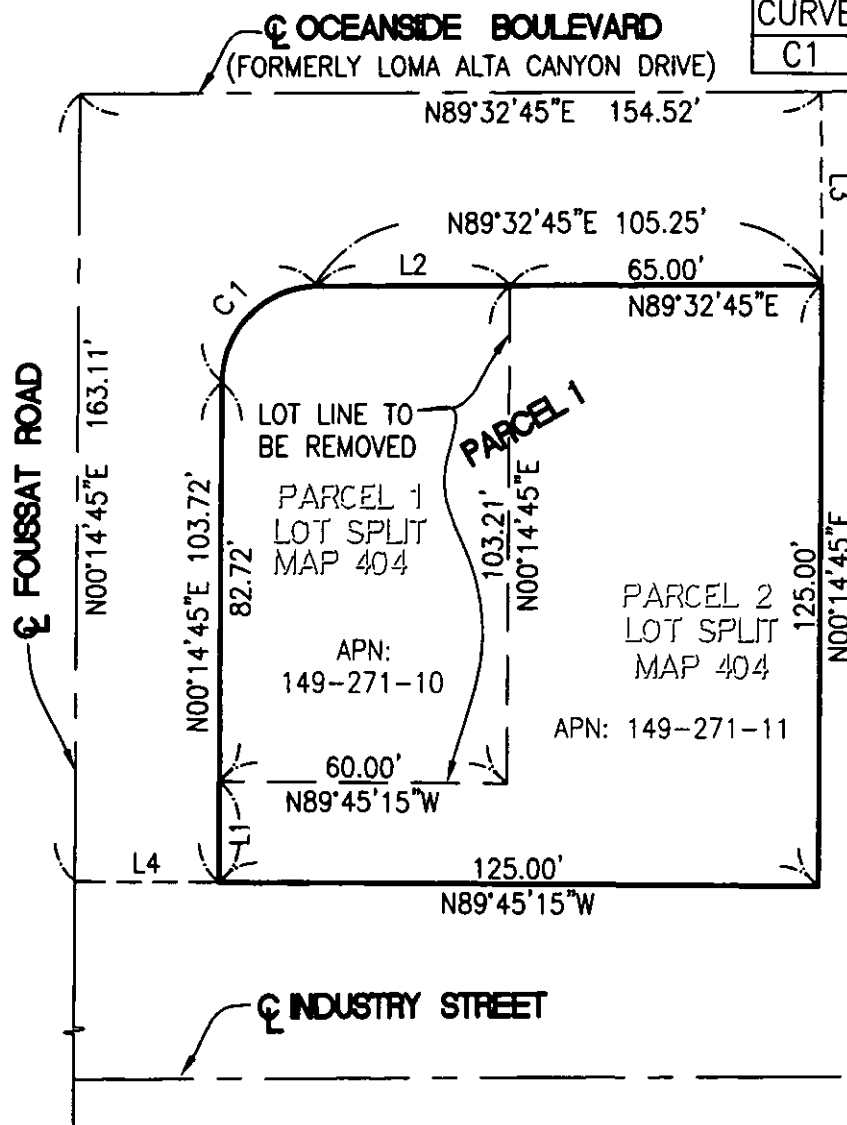
LINE TABLE		
LINE	LENGTH	BEARING
L1	21.00	N00°14'45"E
L2	40.25	N89°32'45"E
L3	40.00	N00°27'15"W
L4	30.00	N89°45'15"W

NOTE:
FOR EASEMENTS
SEE SHEET 2.

GRAPHIC SCALE



(IN FEET)
1 INCH = 40 FEET



AREAS (S.F.)	LOT 1	LOT 2	PARCEL 1
EXISTING	6,087.40	9,358.70	N.A.
PROPOSED	N.A.	N.A.	15,446.10

LEGEND

--- CENTERLINE
--- PROPOSED PROPERTY LINE
--- EXISTING PROPERTY LINE

WATER & UTILITY DEPT. APPROVAL

DATE: 7/6/09

PLANNING DIVISION APPROVAL

DATE: 7/6/09

CITY TREASURER'S APPROVAL

DATE:

DATE: 9/3/09

ENGINEER/SURVEYOR SIGNATURE

SURVEYOR SIGNATURE

NO. 5133

DATE

OWNER:

EDWARD S. ATTIX AND VALERIE A. CASKEY

ADDRESS:

2801, 2805 OCEANSIDE BLVD

CITY, STATE: OCEANSIDE, CA

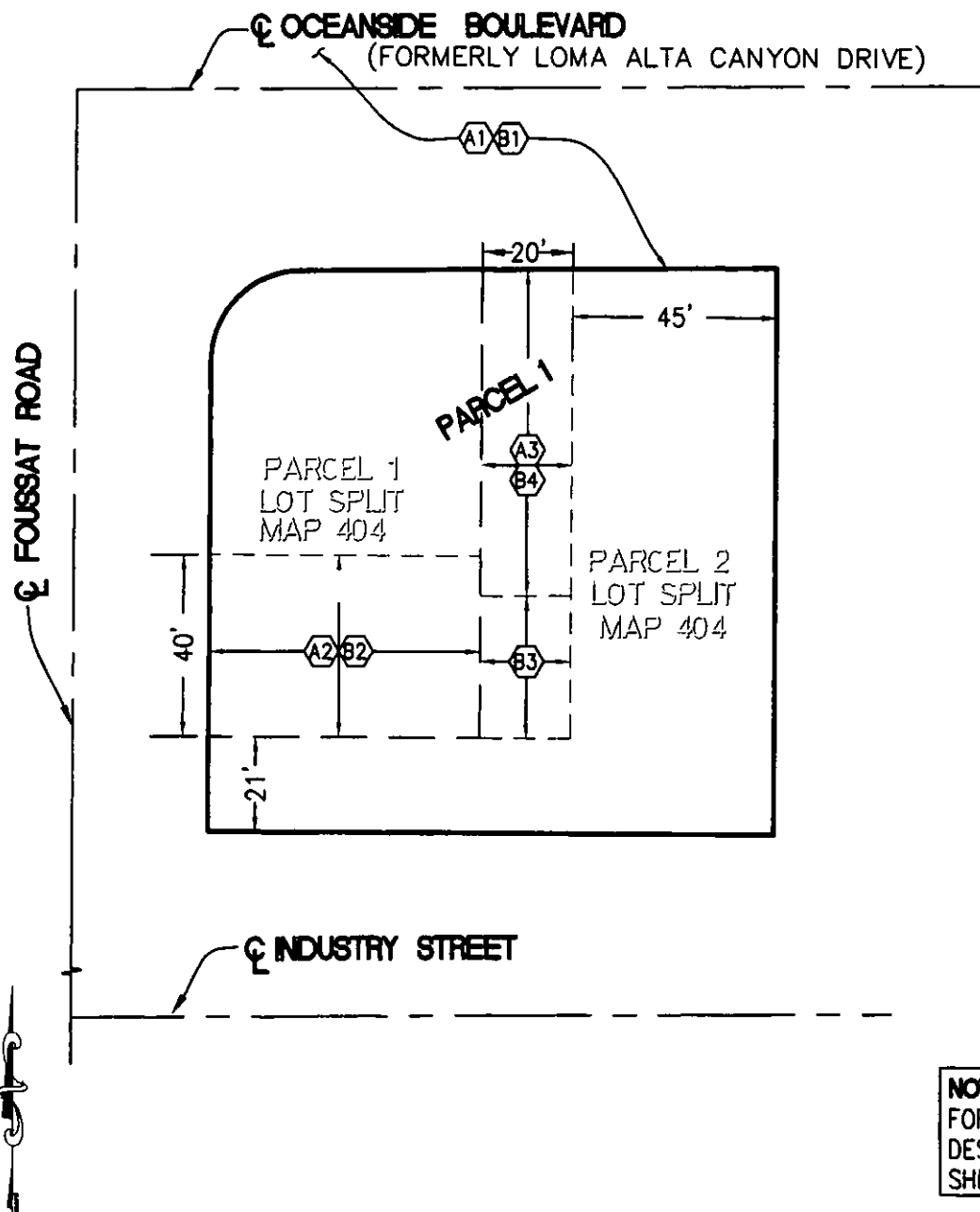
ZIP 92054



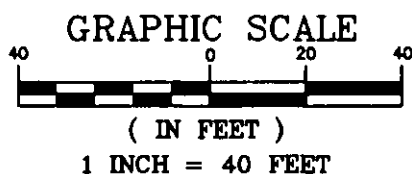
CITY OF OCEANSIDE
ENGINEERING DIVISION
PLAT FOR PLA-9-08
EXHIBIT "B"

SHEET 2 OF 3

2477



NOTE:
FOR EASEMENT
DESCRIPTIONS SEE
SHEET 3.



LEGEND	
---	CENTERLINE
---	PROPOSED PROPERTY LINE
---	EXISTING PROPERTY LINE
---	EXISTING EASEMENT LINE



CITY OF OCEANSIDE
ENGINEERING DIVISION
PLAT FOR PLA-9-08
EXHIBIT "B"

SHEET 3 OF 3

2478

EASEMENT NOTES

(A1) AN EASEMENT OVER A PORTION OF SAID LAND NOW WITHIN OCEANSIDE BOULEVARD HEREIN, FOR STREET PURPOSES AS GRANTED TO CITY OF OCEANSIDE, A MUNICIPAL CORPORATION, IN DEED RECORDED MAY 14, 1934 IN BOOK 301, PAGE 99 OF OFFICIAL RECORDS.

NOTE: THIS APPEARS TO BE THE DEDICATION FOR OCEANSIDE BOULEVARD, 80 FOOT WIDE.

(A2) AN EASEMENT FOR DRIVEWAY AND PARKING LOT, OVER, ALONG AND ACROSS THE SOUTHERLY 40.00 FEET OF PARCEL 1 HEREIN DESCRIBED, TOGETHER WITH THE RIGHT TO GRANT TO OTHERS AS RESERVED BY WILLIAM C. WATKINS, ALSO KNOWN AS WM. C. WATKINS AND DOLORES A. WATKINS, HUSBAND AND WIFE, IN DEED RECORDED OCTOBER 27, 1965, SERIES 6, BOOK 1965, AS INSTRUMENT NO. 195025 OF OFFICIAL RECORDS.

(A3) A COVENANT AND AGREEMENT RECORDED FEBRUARY 10, 1992 AS INSTRUMENT NO. 1992-0070763 OF OFFICIAL RECORDS.

NOTE: SAID COVENANT IS A 20' x 72' NON-BUILDABLE RESTRICTION.

(B1) AN EASEMENT FOR THE PURPOSE SHOWN BELOW AND RIGHTS INCIDENTAL THERETO AS SET FORTH IN A DOCUMENT

GRANTED TO: CITY OF OCEANSIDE, A MUNICIPAL CORPORATION
PURPOSE: STREET PURPOSES
RECORDED: IN BOOK 301 PAGE 99 OF OFFICIAL RECORDS
AFFECTS: A PORTION OF SAID LAND

NOTE: THIS APPEARS TO BE THE DEDICATION FOR OCEANSIDE BOULEVARD, 80 FOOT WIDE.

(B2) AN EASEMENT FOR THE PURPOSE SHOWN BELOW AND RIGHTS INCIDENTAL THERETO AS SET FORTH IN A DOCUMENT

GRANTED TO: PAUL J. WEBER
PURPOSE: DRIVEWAY PURPOSES
RECORDED: OCTOBER 27, 1965 AS FILE NO. 195025 OF OFFICIAL RECORDS
AFFECTS: THE ROUTE THEREOF AFFECTS A PORTION OF SAID LAND AND IS MORE FULLY DESCRIBED IN SAID DOCUMENT

(B3) AN EASEMENT FOR THE PURPOSE SHOWN BELOW AND RIGHTS INCIDENTAL THERETO AS SET FORTH IN A DOCUMENT

GRANTED TO: NOT SHOWN
PURPOSE: DRIVEWAY PURPOSES
RECORDED: MARCH 10, 1966 AS FILE NO. 41092 OF OFFICIAL RECORDS
AFFECTS: THE WEST 20.00 FEET OF PARCEL 1 HEREIN DESCRIBED LYING NORTHERLY OF A LINE THAT BEARS SOUTH 89 DEGREES 45' 15" EAST FROM POINT "B" REFERRED TO THEREIN

(B4) A COVENANT AND AGREEMENT UPON AND SUBJECT TO THE TERMS AND CONDITIONS THEREIN

EXECUTED BY: JAMES R PALENSOR
IN FAVOR OF: EDWARD S. ATTIX
RECORDED: FEBRUARY 10, 1992 AS FILE NO. 1992-0070763 OF OFFICIAL

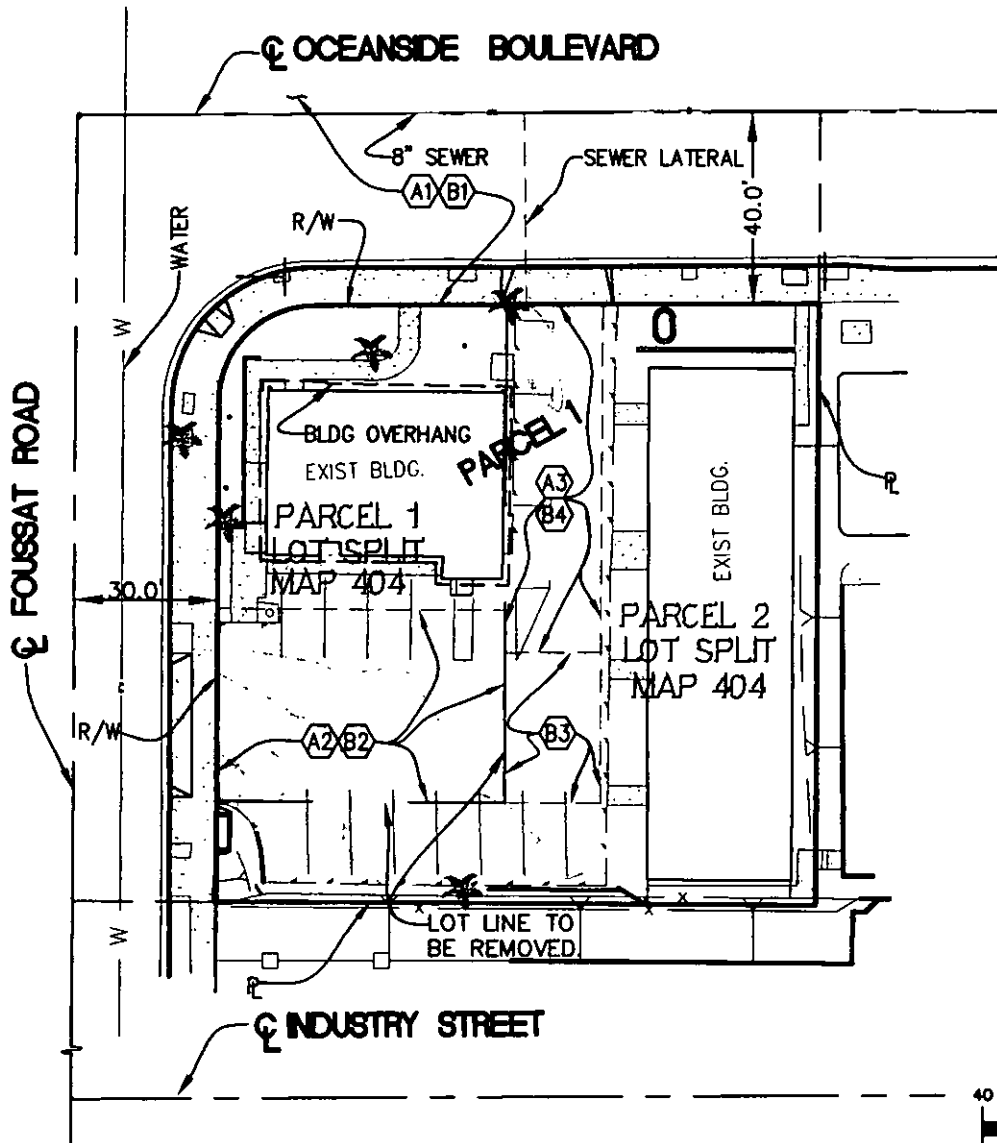
REFERENCE IS MADE TO SAID DOCUMENT FOR FULL PARTICULARS

NOTE: SAID COVENANT IS A 20' x 72' NON-BUILDABLE RESTRICTION.

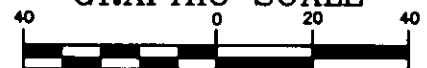
CITY OF OCEANSIDE
ENGINEERING DIVISION
SITE MAP FOR PLA-9-08
EXHIBIT "C"

SHEET 1 OF 1

2479



GRAPHIC SCALE



(IN FEET)

1 INCH = 40 FEET

NOTE

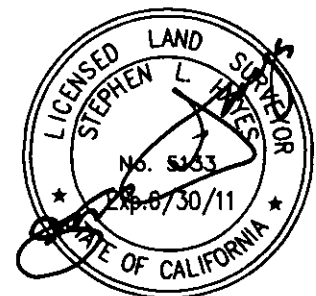
THE EXISTING ZONING OF THESE LOTS IS IG GENERAL INDUSTRIAL DISTRICT. THE PROPOSED USE OF THE CREATED LOT IS ANIMAL HOSPITAL.

LEGEND

- CENTERLINE
- PROPOSED PROPERTY LINE
- EXISTING PROPERTY LINE
- - - EXISTING EASEMENT
- DRAINAGE DIRECTION

EASEMENT PARTY WITH VESTED INTEREST

A1	CITY OF OCEANSIDE.
A2	WILLIAM C. WATKINS AND DOLORES A. WATKINS
A3	JAMES R PALENSOR
B1	CITY OF OCEANSIDE
B2	PAUL J. WEBER
B3	NOT SHOWN
B4	JAMES R PALENSOR



ENGINEER/SURVEYOR SIGNATURE

Stephen L. Hines **PLS 5133** **6/23/09**
SURVEYOR SIGNATURE NO. DATE

OWNER: **EDWARD S. ATTIX AND VALERIE A. CASKEY**

ADDRESS: **2801-2805 OCEANSIDE BLVD.**

CITY, STATE: **OCEANSIDE, CA** ZIP **92054**



RECORDING REQUESTED BY

Fidelity title
City of Oceanside
Engineering DivisionF8
10P
NF

SEP 23, 2009 8:00 AM

OFFICIAL RECORDS
SAN DIEGO COUNTY RECORDER'S OFFICE
DAVID L. BUTLER, COUNTY RECORDER
FEES: 0.00

PAGES: 10

AND WHEN RECORDED MAIL TO

City Clerk
City of Oceanside
300 North Coast Highway
Oceanside, CA 92054

APN: 149-271-10 & 149-271-11

City Clerk Doc#:

NOTICE OF LOT MERGER**REQUEST FOR VOLUNTARY LOT MERGER**

(Only for 4 or fewer lots/parcels)

2480**ADVISORY AGENCIES' CERTIFICATE:**

The owners of record EDWARD S. ATTIX AND VALERIE A. CASKEY, of those certain real properties as described in EXHIBIT "A" attached hereon and made a part hereof, have filed an application for Voluntary Lot Merger and Certificate of Compliance and have requested to wave any and all rights to hearing and notice of intention specified in Section 66451.13 and 66451.14 of the subdivision Map Act and City of Oceanside Subdivision Ordinance, Article XI, Sections 1101 and 1102.

This is to certify that the undersigned, as the authorized agent for the City of Oceanside, pursuant to Government Code Section 66499.20-3/4 and City of Oceanside Subdivision Ordinance, Article XI, Section 1107, have approved the application of the undersigned owners of record, to merge contiguous parcels described herein, and authorize the waiver of the Notice of Intension and Request for Hearing specified in Sections 66451.13 and 66451.14 of the Subdivision Map Act.

Certain real properties (the separate parcels of land to be merged) described in Exhibit "A" attached hereon, shall be merged per PLA-9-08 and shall be effective upon approval and recordation of said Certificate of Compliance for Lot Merger and Lot Line Adjustment by the City of Oceanside.

CITY OF OCEANSIDE
Engineering Division
City of Oceanside
300 North Coast Highway
Oceanside, CA 92054By: Title: CITY ENGINEERDate: 9.15.2009**OWNER CERTIFICATE:**

We hereby attest by our signatures hereon that we are all the record title owners of the contiguous separate parcels of land described in Exhibit "A". We also affirm that said property consists of (two or more) contiguous parcels and are under common ownership and that we understand that recordation of this Notice of Lot Merger and Certificate of Compliance for Lot Merger and Lot Line Adjustment Number PLA-9-08 shall cause the subject parcels to be merged into one parcel and that further actions to sell, lease or finance portions of said parcels will be subject to the City of Oceanside Subdivision Ordinance regulation.

Continued on next page.

We hereby attest by our signatures hereon that we have initiated this merger and are requesting that the Office of San Diego County Recorder, record this Notice of Lot Merger; therefore, we do not wish to have a protest hearing to present evidence as to why this Merger Notice should not be recorded; and by our signatures hereon we understand and expressly wave any and all rights to such hearing; and wave the right to all notices required by these provisions.

By executing this notice, the undersigned also certifies that:

- a- The merger of these parcels will not create a violation of any ordinance or regulations;
- b- The above lots/parcels are in common ownership;
- c- All owners of record have signed this application; and
- d- Please initial the appropriate notice.

VC, CA All persons or entities holding mortgages on any of the parcels have signed a letter of consent and approval attached herein and made a part hereof.

There are no entities or persons holding any mortgages on any of the parcels.

EDWARD S. ATTIX and VALERIE A. CASKEY

Name of the record owner (s) per title

Edward S. Attix 9-1-09
Owner signature Date

Valerie A. Caskey 9/1/09
Owner signature Date

Edward S. Attix, Owner
Print name and title of owner

Valerie A. Caskey
Print name and title of owner

7964 Sitio Fresca, Carlsbad, California 92009
Owners mailing address

Consent by Mortgagees

This is to certify that the undersigned hold the mortgage or interest in one or more of the parcels and consent to lot merger and lot line adjustment and will guarantee the adjustment of existing trust deed boundaries legal description to match the new parcel boundaries legal description as shown on the City of Oceanside Certificate of Compliance for Lot Merger and Lot Line Adjustment No. PLA-9-08.

The Trust Deed to be adjusted are referred to by the following data: Deed of Trust for the amount of \$159,000 dated December 30, 2003, recorded December 31, 2003 as file No. 2003-1526910 filed in the office of the County Recorder of San Diego County, State of California. See **Exhibit 'C'** attached.

The Trust Deed and Assignment of Rents, Security Agreement and Fixture Filing to be adjusted is referred to by the following data: Deed of Trust and Assignment of Rents, Security Agreement and Fixture Filing for the amount of \$800,000 dated March 18, 2008, recorded March 20, 2008 as file No. 2008-0148340 filed in the office of the County Recorder of San Diego County, State of California. See **Exhibit 'C'** attached.

California all purpose
Certificate of Acknowledgment

2482

State of California

County of San Diego } ss

On 9-1-09, Amal Issa Albanna Notary Public before me, personally
Date (Here insert name and title of the officer)

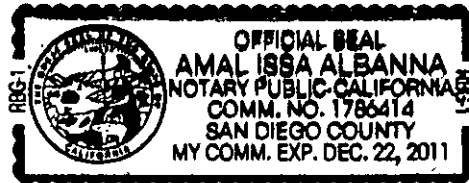
appeared Valerie A Caskey / Edwards Attix, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) ~~is~~/are subscribed to the within instrument and acknowledged to me that ~~he~~/she/they executed the same in ~~his~~/her/their authorized capacity(ies), and that by ~~his~~/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature [Signature]
Signature of Notary Public

(Notary Seal)



OPTIONAL SECTION

DESCRIPTION OF ATTACHED DOCUMENT

Title or Type of Document Request For Voluntary Los merger

Document Date 9-1-09 Number of Pages _____

CAPACITY(IES) CLAIMED BY SIGNER

Name of Signer _____

Title(s) _____

Signer is Representing: _____

EXISTING PARCELS

Parcels to be included in the Certificate of Compliance for Lot Merger and Lot Line Adjustment Number PLA-9-08 approved by City of Oceanside on, 9 -15 -2009.

Existing Parcel 1:

APN: 149-271-10
(Assessor's parcel number)

Location: 2801 Oceanside Boulevard, Oceanside, CA
(street address or physical location)

Title reference: Doc. No. 2003-1526909
(Recorded Doc #, book and page or probate No., and grantor)

Legal Description: See Exhibit 'B' attached
(Lot and Map number or legal description attach Exhibit B)

Existing Parcel 2:

APN: 149-271-11
(Assessor's parcel number)

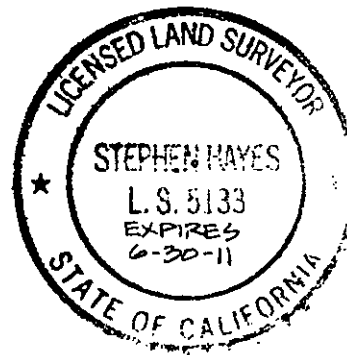
Location: 2805 Oceanside Boulevard, Oceanside, CA
(street address or physical location)

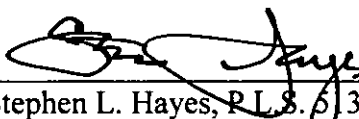
Title reference: Doc. No. 2006-0896022
(Recorded Doc #, book and page or probate No., and grantor)

Legal Description: See Exhibit 'B' attached
(Lot and Map number or legal description attach Exhibit B)

Prepared By:

The SP Consulting Group
455 Puesta Del Sol
Arroyo Grande, CA 93420




Stephen L. Hayes, P.L.S. 5133, Exp. 6/30/11

8/26/09
Date

EXHIBIT "B"

2484

LEGAL DESCRIPTION

EXISTING PARCEL 1:

ALL THAT PORTION OF THE SOUTHWEST QUARTER OF SECTION 19, TOWNSHIP 11 SOUTH, RANGE 4 WEST, SAN BERNARDINO BASE MERIDIAN, IN THE CITY OF OCEANSIDE, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO UNITED STATES GOVERNMENT SURVEY, APPROVED DECEMBER 27, 1870, DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT IN THE EASTERLY LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 19, DISTANT THEREON NORTH 00°14'15" EAST 1341.16 FEET FROM THE SOUTHEAST CORNER OF SAID SOUTHWEST QUARTER, BEING A POINT IN THE SOUTHERLY RIGHT OF WAY LINE OF CANYON DRIVE (CURRENTLY OCEANSIDE BOULEVARD) AS SHOWN ON CITADELS ESTATES UNIT NO. 1, ACCORDING TO MAP THEREOF NO. 4049, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAID SAN DIEGO COUNTY, SAID POINT ALSO BEING THE NORTHEAST CORNER OF THE LAND DESCRIBED IN DEED TO AVCO DEVELOPMENT COMPANY, INC., RECORDED JANUARY 16, 1963 AS DOCUMENT NO. 9721 OF OFFICIAL RECORDS; THENCE ALONG NORTHERLY LINE OF SAID LAND BEING ALONG THE SOUTHERLY LINE OF SAID CANYON DRIVE (CURRENTLY OCEANSIDE BOULEVARD), SOUTH 89° 32' 45" WEST (RECORD SOUTH 89° 39' 00" WEST) 270.11 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING SOUTH 89° 32' 45" WEST 40.25 FEET TO THE BEGINNING OF A TANGENT 20 FOOT RADIUS CURVE CONCAVE SOUTHEASTERLY THENCE SOUTHWESTERLY AND SOUTHERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 89° 18' 00" A DISTANCE OF 31.17 FEET; THENCE TANGENT TO SAID CURVE SOUTH 00° 14' 45" WEST 82.72 FEET; THENCE SOUTH 89° 45' 15" EAST, 60.00 FEET; THENCE NORTH 00° 14' 45" WEST 103.21 FEET TO THE TRUE POINT OF BEGINNING.

EXISTING PARCEL 2:

ALL THAT PORTION OF THE SOUTHWEST QUARTER OF SECTION 19, TOWNSHIP 11 SOUTH, RANGE 4 WEST, SAN BERNARDINO BASE MERIDIAN, IN THE CITY OF OCEANSIDE, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO UNITED STATES GOVERNMENT SURVEY, APPROVED DECEMBER 27, 1870, DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT IN THE EASTERLY LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 19, DISTANT THEREON NORTH 00°14'15" EAST 1341.16 FEET FROM THE SOUTHEAST CORNER OF SAID SOUTHWEST QUARTER, BEING A POINT IN THE SOUTHERLY RIGHT OF WAY LINE OF CANYON DRIVE (CURRENTLY OCEANSIDE BOULEVARD) AS SHOWN ON CITADELS ESTATES UNIT NO. 1, ACCORDING TO MAP THEREOF NO. 4049, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAID SAN DIEGO COUNTY, SAID POINT ALSO BEING THE NORTHEAST CORNER OF THE LAND DESCRIBED IN DEED TO AVCO DEVELOPMENT COMPANY, INC., RECORDED JANUARY 16, 1963 AS DOCUMENT NO. 9721 OF OFFICIAL RECORDS; THENCE ALONG NORTHERLY LINE OF SAID LAND BEING ALONG THE SOUTHERLY LINE OF SAID CANYON DRIVE (CURRENTLY OCEANSIDE BOULEVARD), SOUTH 89° 32' 45" WEST (RECORD SOUTH 89° 39' 00" WEST) 205.11 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING SOUTH 89° 32' 45" WEST 65.00 FEET TO A POINT HEREINAFTER REFERRED TO AS

POINT "A"; THENCE CONTINUING SOUTH $89^{\circ} 32' 45''$ WEST 40.25 FEET TO THE BEGINNING OF A TANGENT 20 FOOT RADIUS CURVE CONCAVE SOUTHEASTERLY THENCE SOUTHWESTERLY AND SOUTHERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF $89^{\circ} 18' 00''$ A DISTANCE OF 31.17 FEET; THENCE TANGENT TO SAID CURVE SOUTH $00^{\circ} 14' 45''$ WEST 82.72 FEET TO A POINT HEREINAFTER REFERRED TO AS POINT "B"; THENCE CONTINUING SOUTH $00^{\circ} 14' 45''$ WEST 21.00 FEET; THENCE SOUTH $89^{\circ} 45' 15''$ EAST, 125.00 FEET; THENCE NORTH $00^{\circ} 14' 45''$ WEST 125.00 FEET TO THE TRUE POINT OF BEGINNING.

EXCEPTING THEREFROM ALL THAT PORTION THEREOF LYING NORTHERLY AND WESTERLY OF A LINE DESCRIBED AS FOLLOWS:

BEGINNING AT POINT "B" HEREINABOVE REFERRED TO; THENCE SOUTH $89^{\circ} 45' 15''$ EAST, 60.00 FEET; THENCE NORTH $00^{\circ} 14' 45''$ WEST 103.21 FEET TO SAID POINT "A".

EXHIBIT "C"

Consent by Mortgagees

Signed and Notarized Documents

Exhibit "C"

2487

Certification of Trustee

This is to certify that the undersigned Davis, Pickren & Seydel, LLP will guarantee the adjustment of the existing Deed of Trust and Assignment of Rents, Security Agreement and Fixture Filing boundaries legal description to match the new parcel boundaries legal description as shown on the City of Oceanside Lot Line Adjustment/Certificate of Compliance No. PLA-9-08.

The Deed of Trust and Assignment of Rents, Security Agreement and Fixture Filing to be adjusted is referred to by the following data: Deed of Trust and Assignment of Rents, Security Agreement and Fixture Filing for the original principal amount of Eight Hundred Thousand and no/100 Dollars (\$800,000.00) dated March 18, 2008, recorded on March 20, 2008 as file No. 2008-0148340 filed in the office of the County Recorder of San Diego County, State of California.

DAVIS, PICKREN & SEYDEL, LLP

BY:


WILLIAM TERRY PICKREN

State of Georgia

County of Fulton

On February 4, 2009 before me, Jennifer Lammie, personally appeared William Terry Pickren who proved to me on the basis of satisfactory evidence to be the person whose name subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of Georgia that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature

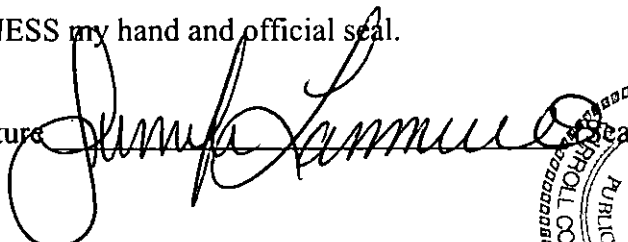
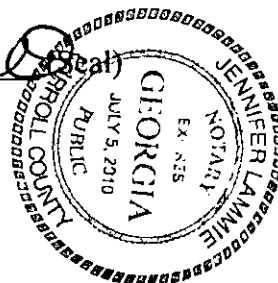
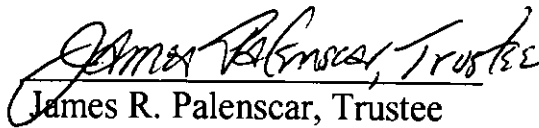



EXHIBIT "C"

Certification of Trustee

This is to certify that the undersigned, James R. Palenscar, Trustee of the Palenscar Family Trust dated 2/03/1999, will guarantee the adjustment of the existing trust deed boundaries legal description to match the new parcel boundaries legal description as shown on the City of Oceanside Lot Line Adjustment Certificate of Compliance No. PLA-9-08.

The Trust Deed to be adjusted is referred to by the following data: Deed of Trust for the amount of \$159,000 dated December 30, 2003, recorded December 31, 2003 as file No 2003-1526910 filed in the office of the County Recorder of San Diego County, State of California.

 3/20/2008
James R. Palenscar, Trustee

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California

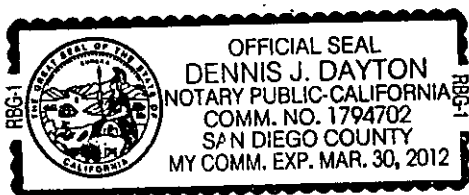
County of SAN DIEGOOn 3-24-2009 before me, DENNIS J DAYTON NOTARY PUBLIC

Date

Here Insert Name and Title of the Officer

personally appeared JAMES R. PALESCAN

Name(s) of Signer(s)



who proved to me on the basis of satisfactory evidence to be the person~~(s)~~ whose name~~(s)~~ is~~(s)~~ subscribed to the within instrument and acknowledged to me that he~~(s)~~/she~~(s)~~/they executed the same in his~~(s)~~/her~~(s)~~/their authorized capacity~~(ies)~~, and that by his~~(s)~~/her~~(s)~~/their signature~~(s)~~ on the instrument the person~~(s)~~, or the entity upon behalf of which the person~~(s)~~ acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature

Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached DocumentTitle or Type of Document: CERTIFICATION OF TRUSTEEDocument Date: 3-24-2009Number of Pages: 1Signer(s) Other Than Named Above: NONE**Capacity(ies) Claimed by Signer(s)**

Signer's Name: _____

- ☐ Individual
☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Attorney in Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____

Signer Is Representing: _____

**RIGHT THUMBPRINT
OF SIGNER**
 Top of thumb here

Signer's Name: _____

- ☐ Individual
☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Attorney in Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____

Signer Is Representing: _____

**RIGHT THUMBPRINT
OF SIGNER**
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